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★ JAN 05 2007 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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In re: ZYPREXA PRODUCTS LIABILITY : MDL No. 1596
LITIGATION :
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THIS DOCUMENT RELATES TO: :
ALL ACTIONS : **ORDER TO SHOW CAUSE ISSUED TO
JAMES B. GOTTSSTEIN, ESQUIRE**
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It is hereby ORDERED that James B. Gottstein, Esquire, show cause before this Court, via teleconference, on January 16, 2007, at 2:00 p.m. why an order should not be issued:

1. Requiring Mr. Gottstein's deposition within 5 days in New York City, which shall be supervised by Special Master Peter H. Woodin, and shall continue day-to-day without regard to length, until Special Master Woodin determines that it is completed; and
2. Requiring Mr. Gottstein to immediately produce – to Nina M. Gussack, Esquire at Pepper Hamilton LLP, 3000 Two Logan Square, 18th & Arch Streets, Philadelphia, PA, 19103 – copies of any and all documents and information including, but not limited to, all computer(s), hard-drives, other electronic storage media, hardcopy documents, emails, e-documents, text messaging, instant messaging, phone records and voice mails, that refer or relate to Zyprexa; his efforts to find a case that could be used as a vehicle to subpoena documents from Dr. Egilman; his efforts to obtain and serve a subpoena on Dr. Egilman and the parties in his Alaska action; his receipt of documents produced by Eli Lilly and Company subject to the protective orders in this case; his receipt of information about these documents; communications he had with anyone relating to these documents, including, but not limited to, his dissemination of or discussions relating to the documents; his communications with Dr. Egilman; his communications with any person, organization or entity who received these documents

including, but not limited to, Terrie Gottstein, Jerry Winchester, Alex Berenson, Dr. Peter Breggin, Dr. Grace Jackson, Dr. David Cohen and Bruce Whittington, Dr. Stefan Kruszewski, Laura Ziegler, Judi Chamberlin, Vera Sherav, Robert Whitaker, Steve Shaw, Will Hall, Singeha Prakash, or anyone associated with the Alliance for Human Research Protection or MindFreedom; and his efforts to comply with the Court Order of December 18, 2006, including, but not limited to, his efforts to retrieve these documents from the individuals to whom they were ~~improperly~~ disseminated.

3. Requiring Mr. Gottstein, if anything responsive to this Order has been deleted or destroyed, to produce any and all relevant computers – to Nina M. Gussack, Esquire at Pepper Hamilton LLP, 3000 Two Logan Square, 18th & Arch Streets, Philadelphia, PA, 19103 – to permit forensic examination and recovery of such documents.

4. The prior Order of this Court, issued on January 3, 2007 at 10:00 a.m., setting further hearing on this matter for January 5, 2007, is hereby vacated.



Hon. Jack B. Weinstein
Senior District Judge

Dated: January 4, 2007
Brooklyn, New York

